

PROCESS SERVER'S AFFIDAVIT OF SERVICE

Comes now William L. Stage Jr., Special Process Server, and being duly sworn upon his oath states that I am over the age of 18 and that I am not a party to the action for which I have affected service in the following manner:

In Re: case no. / cause no. 18SL-CC01098 Missouri Circuit Court – St. Louis County
Subash Thayyullathil v Infosys Limited

On **Monday the 2nd day of April, 2018 at 10:07 am**

I did serve a **Summons with Petition**

directed to **Infosys Limited c/o Registered Agent**

at the location of: CT Corporation
120 S. Central Suite 400
Clayton, Missouri 63105

by the following means: Personally Served Upon / Accepted By Bonnie L. Love, Senior Operations Intaker Specialist – CT Corporation, Registered Agent for Infosys Limited.

All done in St. Louis County, Missouri


William L. Stage Jr.
Special Process Server No. 197 - Missouri Circuit Court, 22nd Judicial Circuit
P.O. Box 4932 St. Louis, MO 63108 314.420.2226

Subscribed and sworn to [or affirmed] before me this 4th day of April, 2018.


Mary E. Gardner-Stage
Notary Public

My commission expires

MARY E. GARDNER-STAGE
Notary Public-Notary Seal
STAGE, LLC, Inc., St. Louis, Missouri
Commission # 15845117
My Commission Expires Jan 11, 2019

Exhibit A



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: MAURA B MCSHANE	Case Number: 18SL-CC01098
Plaintiff/Petitioner: SUBASH THAYYULLATHIL vs.	Plaintiff's/Petitioner's Attorney/Address VINCENT A. BANKS III SUITE 134 800 WASHINGTON AVENUE SAINT LOUIS, MO 63101
Defendant/Respondent: INFOSYS LIMITED	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Employment Discrepancy 213.111	(Date File Stamp)

Summons in Civil Case

<p>The State of Missouri to: INFOSYS LIMITED Alias: R/A: THE CORPORATION COMPANY 7733 FORSYTH BLVD CLAYTON, MO 63105</p> <p>COURT SEAL OF  ST. LOUIS COUNTY</p>		<p>You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</p> <p>28-MAR-2018 Date</p> <p><i>[Signature]</i> Clerk</p>
<p>Further Information: JJ</p> <p>Sheriff's or Server's Return</p> <p>Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.</p> <p>I certify that I have served the above summons by: (check one)</p> <p><input type="checkbox"/> delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.</p> <p><input type="checkbox"/> leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years.</p> <p><input type="checkbox"/> (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).</p> <p><input type="checkbox"/> other _____ (address)</p> <p>Served at _____ in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).</p> <p>Printed Name of Sheriff or Server _____ Signature of Sheriff or Server _____ Must be sworn before a notary public if not served by an authorized officer: Subscribed and sworn to before me on _____ (date). (Seal) My commission expires: _____ Date _____ Notary Public _____</p> <p>Sheriff's Fees, if applicable Summons \$ _____ Non Est \$ _____ Sheriff's Deputy Salary \$ _____ Supplemental Surcharge \$ 10.00 _____ Mileage \$ _____ (_____ miles @ \$. _____ per mile) Total \$ _____</p> <p>A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.</p>		

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI

PETITION

COMES NOW Plaintiff, Subash Thayyullathil, by and through counsel, and for his claim against Defendant, INFOSYS LIMITED (hereinafter “INFOSYS”) states as follows:

1. Plaintiff is a resident of St. Louis County, Missouri.
2. Defendant is a foreign corporation doing business in St. Louis County, Missouri and the claim arose in St. Louis County, Missouri.
3. Venue is proper pursuant to R.S.Mo. § 508.010.4.
4. Defendant is an employer within the meaning of the Missouri Human Rights Act, R.S.Mo. § 213.010(7) in that Defendant employs six (6) or more persons in the State of Missouri.
5. Plaintiff was hired by Defendant in April 2000 and worked as an onsite project lead working closely with customer Project Manager and Customer Technical Team until his termination August 31, 2017.
6. While working at an onsite customer location, I noticed that Defendant was sending people from India under Business Visa “B1” to work in the United States for completing project

activities which should not be performed under Business Visa B1 but work visa L1B or H1B.

7. In September 2016, I discussed this matter with Defendant and subsequently requested to get proper work visas for the persons needing to travel and work in the United States and that Defendant initiate the processing of L1B visas which is a valid visa to legally work in the United States.
8. In February 2017, Defendant again failed to procure L1B or H1B work visa on time and sent an employee to the United States on a B1 business visa.
9. In February 2017, Plaintiff again discussed with Defendant the violation 18 U.S.C. § 1546 and potential consequences of having people travel and work on B1 rather than the required L1B or H1B.
10. In February 2017, Defendant acknowledged the existence of an internal process but failed to process the L1B on time.
11. In February 2017, Plaintiff suggested to Defendant that time was still available for Defendant to initiate a H1B visa for the person needing to travel to the United States in 2017.
12. Plaintiff followed up with the customer to get an invitation letter so that the H1B visa can be initiated by Defendant but again, Defendant failed to process the H1B on time.
13. Upon learning that the H1B visa was not initiated, Plaintiff discussed with Defendant the project was at risk because of fraud and/or misuse of visas.
14. Defendant negatively reacted to Plaintiff identifying the fraud and/or misuse of visas as a risk to the project and expressed Defendant's desire to obtain greater profit on the work performed.

15. In April 2017, Plaintiff again raised concerns with Defendant on the fraud and/or misuse of visas as a risk to the project.
16. In May 2017, while in the middle of a project and following Plaintiff's recent alarms regarding legal visas, Plaintiff was told by Defendant to relocate to India within two (2) weeks for no given reason.
17. Plaintiff ceased working on the project at the customer site on May 26, 2017.
18. Due to personal constraints, Plaintiff was unable to relocate India on such short notice and took paid leave for a few weeks.
19. Plaintiff learned of another instance of visa fraud/misuse after being forced off the project in June 2017.
20. Defendant's edict that after six (6) years in the United States, Plaintiff and his family must relocate to India, caused Plaintiff to suffer emotional distress requiring Plaintiff to take four (4) weeks FMLA leave on the advice of his primary care physician in July 2017.
21. Plaintiff returned from FMLA leave in August 2017.
22. Plaintiff filed a written complaint under Defendant's whistleblower policy on August 25, 2017, detailing the visa fraud/misuse.
23. That on August 31, 2017, Defendant terminated Plaintiff's employment.
24. That Plaintiff's termination by Defendant was in retaliation for repeatedly expressing concerns to Defendant about the visa fraud/misuse in violation of U.S. law in violation of the Missouri Human Rights Act § 213.055, et seq.,
25. That Plaintiff's termination by Defendant was in retaliation for repeatedly expressing concerns to Defendant about the visa fraud/misuse in violation of R.S.Mo. § 285.575.

26. That on or about October 26, 2017, Plaintiff filed a charge of retaliation discrimination against Defendant with the Equal Employment Opportunity Commission (EEOC 560-2018-00171.
27. That on January 31, 2018, Plaintiff was notified by the EEOC that he may institute a civil action against Defendant.
28. That Plaintiff has exhausted his administrative remedies.
29. That Defendant intentionally engaged in an unlawful employment practice, in violation of the Missouri Human Rights Act, Chapter 213 *et seq.*, as amended and R.S.Mo. § 285.575.
30. As a direct and proximate result of Defendant's conduct, Plaintiff has lost, and will continue to lose, compensation and benefits of employment and has and will continue to suffer emotional pain, humiliation, embarrassment, mental anguish and loss of enjoyment of life, unless equitable relief is granted.
31. Defendant's actions were intentional, willful, wanton, malicious and/or outrageous because of their evil motive and/or reckless indifference to the rights of Plaintiff under the MHRA, entitling Plaintiff to punitive damages.
32. As a result of Defendant's unlawful employment practices, Plaintiff has incurred and will continue to incur reasonable attorney's fees and costs in connection with this matter.

WHEREFORE, Plaintiff prays that this Court, after a trial by jury, find that Defendant has engaged in an unlawful employment practice under the laws of the State of Missouri and grant Plaintiff judgment against Defendant in an amount sufficient to compensate Plaintiff for physical, mental and emotional anguish and injury, lost wages and lost benefits; award Plaintiff punitive damages in an amount sufficient to punish Defendant and deter such conduct in the

future; order Defendant to pay all costs of this suit including reasonable attorney fees; and grant any further relief that the Court deems just and proper.

Respectfully submitted,

By /s/ Vincent A. Banks III
Vincent A. Banks III, #51404
800 Washington Avenue, Ste. 134
St. Louis, MO 63101
314-409-7920
314-241-5298 (fax)
vbesquire@sbcglobal.net
Counsel for Plaintiff

Pari Sheth, #52605
7750 Clayton Road, Suite 102
St. Louis, MO 63105
314-567-2010
314-754-9874 (fax)
pari@parisheth.com
Co-Counsel for Plaintiff

In the

CIRCUIT COURT
Of St. Louis County, Missouri



For File Stamp Only

SUBASH THAYYULLATHI /

Plaintiff/Petitioner

3/12/18

Date

Case Number

vs.

Division

INFOSYS LIMITED

Defendant/Respondent

L

REQUEST FOR APPOINTMENT OF PROCESS SERVER

Comes now VINCENT A. BANKS III, pursuant
Requesting Party

to Local Rule 28, and at his/her/its own risk requests the appointment of the Circuit Clerk of

William Stage P.O. Box 4932 St. Louis, MO 63108 314-420-2226 Telephone

Name of Process Server

Address

Telephone

Name of Process Server

Address or in the Alternative

Telephone

Name of Process Server

Address or in the Alternative

Telephone

Natural person(s) of lawful age to serve the summons and petition in this cause on the below named parties. This appointment as special process server does not include the authorization to carry a concealed weapon in the performance thereof.

SERVE: REGISTERED AGENT
The CORPORATION COMPANY

Name
7733 FORSYTH Blvd

Address
CLAYTON, MO 63105

City/State/Zip

SERVE:

Name

Address

City/State/Zip

SERVE:

Name

Address

City/State/Zip

SERVE:

Name

Address

City/State/Zip

Appointed as requested:

JOAN M. GILMER, Circuit Clerk

By _____

Deputy Clerk

Date

V Banks III
Signature of Attorney/Plaintiff/Petitioner

51404

Bar No. 67201376

800 WASHINGTON AVE., STE. 154 63101

Address

314-409-7920 314-241-5298

Phone No. Fax No.

In the

CIRCUIT COURT
Of St. Louis County, Missouri



For File Stamp Only

SUBASH THAYYULLATHI

Plaintiff/Petitioner

3/12/18

Date

Case Number

vs.

Division

INFOSYS LIMITED

Defendant/Respondent

L

REQUEST FOR APPOINTMENT OF PROCESS SERVER

Comes now VINCENT A. BANKS III, pursuant

Requesting Party

to Local Rule 28, and at his/her/its own risk requests the appointment of the Circuit Clerk of

WILLIAM STAGE P.O. BOX 4932 ST. LOUIS, MO 63108 314-420-2226

Name of Process Server

Address

Telephone

Name of Process Server

Address or in the Alternative

Telephone

Name of Process Server

Address or in the Alternative

Telephone

Natural person(s) of lawful age to serve the summons and petition in this cause on the below named parties. This appointment as special process server does not include the authorization to carry a concealed weapon in the performance thereof.

SERVE: REGISTERED AGENT
The CORPORATION COMPANY

Name

7733 FORSYTH BLVD

Address

CARLYON, MO 63105

City/State/Zip

SERVE:

Name

Address

City/State/Zip

SERVE:

SERVE:

Name

Name

Address

Address

City/State/Zip

City/State/Zip

Appointed as requested:

JOAN M. GILMER, Circuit Clerk

By /s/Joaquinta Jones
Deputy Clerk

3-28-2018

Date

V. Banks III
Signature of Attorney/Plaintiff/Petitioner

51404

574047306

Bar No. 800 WASHINGTON AVE, STE. 154 63101

Address

314-409-7920 314-241-5298

Phone No.

Fax No.

I certify and attest that the above is a true copy of the original record of the Court in case number 18SL-CCO1098 as it appears on file in my office.

Issued

April 30, 2018



JOAN M. GILMER, Circuit Clerk
St. Louis County Circuit Court

By

Julia M. Wif
Deputy Clerk